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PATENT

Attorney Docket No.: GMX-005.01  
(22109-501)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yves Claude Nicolau et al. )  
Serial No.: 09/920,310 ) Group Art Unit: 1614  
Filed: August 1, 2001 ) Examiner: To Be Assigned  
Title: *Ammonium Salt of Hemoglobin Allosteric Effectors*)  
*And Uses Thereof* )

CERTIFICATE OF MAILING

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Kerry Richard  
Kerry Richard

Commissioner for Patents  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BASED ON  
INTERNATIONAL SEARCH REPORT IN A COUNTERPART PCT APPLICATION

Sir:

In compliance with the requirements of 37 C.F.R. 1.56, submitted herewith on Form PTO-1449 is a list of publications (BP-CE) identified in a Partial International Search Report issued in a related PCT application. A copy of each cited publication and the Partial International Search Report is submitted herewith. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the enclosed Form PTO-1449.


This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the listed documents are material or constitute

"prior art." If the Examiner applies the cited documents as prior art against any claim in the application and Applicants determine that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of said documents. Should one or more of the listed references be applied against the claims of the present application, Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents.

This Information Disclosure Statement is being filed within three months of the mailing date of the Partial International Search Report and before a first Office Action on the merits; therefore, no fee is believed to be due in connection with the filing of the statement. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our Deposit Account, **No. 06-1448 reference GMX-005.01.**

Respectfully submitted,

FOLEY HOAG LLP

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Form PTO-1449

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)  
GMX-005.01 (22109-501)Applicant  
Yves Claude NicolauFiling Date  
August 1, 2001Application Number  
09 920,310Group Art Unit  
1614**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
BP	US 4,397,846	08 09 83	Weiner et al.	424	199	

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
BQ	WO 02 10177 A1	02 07 02	WIPO				X
BR	EP 0 342 955 A2	11 23 89	European Patent Application				X
BS	EP 0 342 956 A2	11 23 89	European Patent Application				X
BT	EP 0 344 997 A2	12 06 89	European Patent Application				X
BU	EP 0 349 143 A2	01 03 90	European Patent Application				X
BV	EP 0 472 772 A1	03 04 92	European Patent Application				X
BW	JP 55-147295	11 17 80	Japan				X

**OTHER DOCUMENTS**

(Including Author, Title, Date, Periodical Pages Etc.)

BN	Adachi et al.; "Nucleation -Controlled Aggregation of Deoxyhemoglobin s : Effect of Organic Phosphates on the Kinetics of Aggregation of Deoxyhemoglobin s In Concentrated Phosphate Buffer", Biochimica et Biophysica Acta, 624: 372-377, ( 1980 )
BY	Barnikol and Burkhard, " Die Feinstruktur der Sauerstoff-Hämoglobin als Puffer des Sauerstoff-Partialdruckes", Funkl. Biol. Med. 2: 245-249, (1983)
BZ	Benesch and Kwong; " Bis-Pyridoxal Polyphosphates: A New Class of Specific Intramolecular Crosslinking Agents For Hemoglobin", Biochemical and Biophysical Research Communications, 156(1): 9-14, (October 14, 1988 )
CA	Kempf and Zundel; " The Allosteric Effector Molecule 2,3-bisphosphoglycerate as a Function of Protonation in Aqueous Solutions an FT-IR Study", Journal of Molecular Structure 269: 65-74, (1992).
CB	Poillon et al.; " Deoxygenated Sickie Hemoglobin. Modulation of its Solubility by 2, 3-diphosphoglycerate and Other Allosteric Polyanions", Database Medline Online, November 15, 1985, Accession No. NLM4055763, XP002215068
CC	Sugden and Ashcroft; " Effects of Phosphoenolpyruvate, other Glycolytic Intermediates and Methylxanthines on Calcium Uptake by a Mitochondrial Fraction From Rat Pancreatic Islets", Diabetologia 15: 173-180, (1978)
CD	Vincent et al.; " Transport of the Highly Charged Myo-Inositol Hexakisphosphate Molecules Across the Red Blood Cell Membrane: A phase Transfer and Biological Study", Database Medline, Online, September 2002, Accession No. NLM12110302, XP 002215069.
CE	Partial International Search Report

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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